

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding the
Implementation of the Suspension of Direct
Access Pursuant to Assembly Bill 1X and
Decision 01-09-060.

Rulemaking 02-01-011
(Filed January 9, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME FOR FILING COMMENTS REGARDING
MOTION OF SAN DIEGO GAS & ELECTRIC COMPANY
TO CLARIFY THE SCOPE OF PROCEEDING**

This ruling shortens the time for filing comments with respect to the motion of San Diego Gas and Electric Company (SDG&E) filed February 14, 2003. The motion relates to the phase of this proceeding that is examining the appropriate level of the Direct Access Cost Responsibility Surcharge (DA CRS) cap effective after July 1, 2003. In its motion, SDG&E asks that the scope of the proceeding be "clarified" to permit parties to present written and oral testimony concerning (1) whether a utility-specific imposition of the DA CRS going forward may fail to achieve the dual goals of protecting bundled ratepayers and compromise the future viability of direct access in some or all areas of the State and (2) whether a utility-specific DA CRS may impair the ability of bundled service customers to be fully reimbursed, with interest, for the undercollection associated with the difference between the various utility-specific DA CRS and the interim 2.7 cents/kWh cap. SDG&E thus claims these further proceedings must consider the facts that bear on the question of whether a utility-specific DA

CRS can be sustained in the near future and long-run to ensure that the Commission's objectives are achieved.

SDG&E also asks for a ruling as soon as possible on its motion so that parties have ample time in which to develop responsive testimony. To that end, SDG&E seeks a shortening of time for filing of responses to its motion, as follows:

February 14, 2003	Submission of Motion
February 21, 2003	Responses to Motion
February 26, 2003	Replies to the Responses

Additionally, SDG&E requests that ALJ Pulsifer confirm that opening and rebuttal testimony addressing the matters contained in this motion will be filed on March 12, 2003 and March 20, 2003, respectively, pursuant to a shortened comment period, as proposed.

Discussion

In the interests of keeping the proceeding on schedule while providing opportunity for consideration of SDG&E's motion, the request to shorten time for responses to the motion and replies to the responses shall be granted.

IT IS RULED that:

1. The request for shortening the time for responses to the motion and for replies to the responses shall be granted.
2. The schedule for replies to the motion and responses to replies shall be:

February 14, 2003	Submission of Motion
February 21, 2003	Responses to Motion
February 26, 2003	Replies to the Responses

3. The previously established schedule for testimony and evidentiary hearings shall not be extended as a result of any ruling on this motion.

Dated February 18, 2003, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time for Filing Comments Regarding Motion of San Diego Gas & Electric Company to Clarify the Scope of Proceeding on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated February 18, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.